

Docket No. HRT-287

MADE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John H. Stevens

Serial No.: 10/047, \$81

Art Unit: 3738

Filed

: October 23, 2001

Examiner: D. J. Isabe

For

: ENDOVASCULAR AORTIC VALVE REPLACEMENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

March 5, 2004
(Date of Deposit)

Brian S. Tomko
(Name of applicant, assignee, or Registered Representative)

2004

(Signature)

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TECHNOLOGY CENTER R3700

Commissioner for Patents P.O. Box 1450 Washington, D.C. 20231

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on May 15, 2003.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

\square In accordance with §1.97(b), since this Information
Disclosure Statement is being filed either within three months
of the filing date of the above-identified national application
(other than a continued prosecution application under $\S1.53(d)$),
within three months of the date of entry into the national
stage of the above identified application as set forth in
§1.491, or before the mailing date of a first Office Action on
the merits of the above-identified application, or before the
mailing date of a first Office Action after the filing of a
request for continued examination under §1.114, no additional
fee is required.
\square In accordance with §1.129(a), this Information
Disclosure Statement is being filed in connection with [] the
first or []second After Final Submission, therefore:
<pre>Statement in Accordance with §1.97(e)</pre>
(attached); or
☐ Please charge Deposit Account No. 10-
0750/ / the fee of $$180.00$ as set forth
in §1.17(p).

In accordance with §1.97(c), this Information

Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

Statement in Accordance with §1.97(e)
(attached); or
Please charge Deposit Account No. 10-
0750/ / the fee of $$180.00$ as set forth
in §1.17(p).
In accordance with $\S1.97(d)$, this Information
Disclosure Statement is being filed after the mailing date of
either a Final Action under §1.113 or a Notice of Allowance
under §1.311 but before the payment of the Issue Fee.
Applicant(s) hereby petition(s) for consideration of this
Information Disclosure Statement. Included are: Statement in
Accordance with $\S1.97$ (e) as set forth below and the fee of
\$180.00 as set forth in §1.17(p).
Copies of each of the references listed on the
attached Form PTO-1449 are enclosed herewith.
Copies of references listed on the attached Form PTO-
1449 are enclosed herewith EXCEPT THAT:
In view of the voluminous nature of references
[list as appropriate], and the likelihood that
these references are available to the Examiner,
copies are not enclosed herewith.
If any of the foregoing publications are not
available to the Examiner, Applicant will
endeavor to supply copies at the Examiner's
request.
Copies of only foreign patent documents and non-
patent literature are enclosed in accordance with 37 CFR 1.98
(a)(2). (The U.S. patents and each U.S. patent application
publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i). \boxtimes There are no listed references which are not in the

English language.

The relevance of those listed references which are \Box not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/HRT-287/BST. This form is submitted in triplicate.

Respectfully submitted,

Brian S. Tomko

Req. No. 41,349

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-1239 DATED: March 5, 2004



IN THE UNITATES PATENT AND TRADEMARK OFFICE

Applicants : John H. Stevens

Serial No. : 10/047,481 Art Unit: 3738

Filed : October 23, 2001 Examiner: D. J. Isabella

For : ENDOVASCULAR AORTIC VALVE REPLACEMENT

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March 5,2004
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Brian S. Tomko
(Name of applicant, assignee, or Registered Representative)

(Signature)

March 5, 2004
(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. $\S 1.97(e)$, certification is hereby made that:

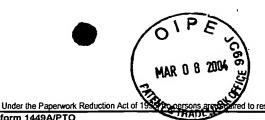
\boxtimes	Each item of information contained in the information
disclosure	statement was first cited in any communication from a
foreign pat	ent office in a counterpart foreign application not more
than three	months prior to the filing of the Information Disclosure
Statement;	or

	No item of informat	ion contained in the Information
Disclosure	Statement was cited	in a communication from a foreign
patent offi	ce in a counterpart	foreign application, and, to the

knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Brian S. Tomko Reg. No. 41,349 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-1239 DATED: March 5, 2004



PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

a conection of information timess it displays a valid ONID control number.			
Application Number	10/047,481		
Filing Date	October 23, 2001		
First Named Inventor	J. H. Stevens		
Group Art Unit	3738		
Examiner Name	D. J. Isabella		
Attorney Docket Number	HRT-287		

				U.S. PATENT DOCUMENTS		
				Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
Initiale	Cite No. ¹					
		4,000,739		Stevens	01-04-1977	
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FOREIGN PATENT DOCUMENTS Foreign Patent Document Pages, Columns, Lines, Date of Publication of Cited Document where relevant Name of Patentee or Examiner Cite passages or relevant mm-dd-yyyy Applicant of Cited Document Initials Office³ Number⁴ KindCode⁵ figures appear No.1

Examiner	Date
	20.0
Signature	Considered
Oignature	Considered

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.